Remarks

1. Summary of Office Action

In the Office Action mailed February 22, 2008, the Examiner rejected claims 1-7, 9, 11-13, 15, 17, and 20 under 35 U.S.C. § 103(a) as being allegedly obvious over U.S. Patent Application Pub. No. 2002/0151302 (Schmidt) in view of the article, "IP Centrex Creates New Opportunities for Equipment Manufacturers" (Stamp) and U.S. Patent No. 5,912,963 (Begeja). Further, the Examiner rejected claims 8 and 18 under 35 U.S.C. § 103(a) as being allegedly obvious over Schmidt, Stamp and Begeja in view of U.S. Patent Application Pub. No. 2002/0120759 (Faccin). Yet further, the Examiner rejected claim 14 under 35 U.S.C. § 103(a) as being allegedly obvious over Schmidt, Stamp and Begeja in view of U.S. Patent Application Pub. No. 2002/0193107 (Nascimento, Jr.). Even further, the Examiner rejected claim 16 under 35 U.S.C. § 103(a) as being allegedly obvious over Schmidt, Stamp and Begeja in view of U.S. Patent No. 6,757,269 (Dorenbosch).

2. Status of the Claims

Applicants have amended claims 1 and 12 to further distinguish the claimed matter over the cited references. Now pending are claims 1-9, 11-18, and 20, of which claims 1 and 12 are independent and the remainder are dependent.

3. Response to Rejections

The Examiner has rejected the subject matter of independent claims 1 and 12 under 35 U.S.C. § 103(a) as being allegedly obvious over Schmidt in view of Stamp and Begeja. However, the presently pending claimed matter does not reasonably or logically follow from the combination of Schmidt, Stamp, and Begeja.

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Claims 1 and 12 are directed to the wireless wide area network (WWAN) backup of an enterprise IP telephony system. The enterprise IP telephony system is configured to allow a call server that facilitates signaling to be located outside of the enterprise network, for example, on a packet-switched network that has a wireline link to the enterprise network. Thus, calls between telephony devices that are all on the enterprise network will have bearer paths within the enterprise network between the enterprise telephone stations, and signaling traffic will traverse both the enterprise network and the packet switched network. However, for calls between a telephony device on the enterprise network and one or more telephony devices that are outside of the enterprise network, signaling traffic will traverse the enterprise network and the packet switched network, while bearer paths are not limited to being within the enterprise network.

The enterprise network is also connected to the packet switched network via a WWAN backup link. If the wireline link between the enterprise network and the packet switched network fails, the WWAN backup link is initiated. Due to the potentially limited capacity of the WWAN link, it may be advantageous for the call server to restrict the establishment of certain types of calls while the WWAN link is in use by not allowing these calls to connect. While calls between telephony devices that are all on the enterprise network will only require WWAN capacity for signaling traffic, calls between a telephony device on the enterprise network and one or more telephony devices that are outside of the enterprise network will require WWAN capacity for both signaling and bearer traffic. Thus, the latter type of call is a natural candidate for restriction. However, not all calls between a telephony device on the enterprise network and one or more telephony devices that are outside of the enterprise network should be restricted, as it may be necessary to allow the bearer path of high-priority calls, such as emergency calls, to use the WWAN link.

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The Schmidt reference teaches an enterprise network that supports telephony, where the enterprise network has both a wireline link and a wireless link to an external network. Schmidt also teaches switching from routing calls via the wireline link to routing calls via the wireless link when connectivity on the wireline link is lost. The Examiner concedes that Schmidt does not teach a call server on the external packet switched network, where the call server engages in packet switched signaling to set up calls between the enterprise telephony devices. However, with respect to the presently pending claims, Schmidt is even more deficient.

Schmidt also does not teach allowing, upon loss of the wireline link and through use of the external call server, continued setup of calls inside the enterprise network between the enterprise telephone stations, wherein bearer paths are within the enterprise network. Furthermore, Schmidt does not teach call-server-logic at the call server for restricting outside calling between a telephone station on the enterprise network and a telephone station not on the enterprise network via the WWAN connection, wherein restricted calls are not permitted to connect.

The Stamp reference teaches a call server (Network Gateway) on the external packet switched network that engages in packet switched signaling to set up calls. However, Stamp does not explicitly teach the call server setting up calls between the enterprise telephony devices. More importantly, Stamp does not disclose the call server allowing setup of calls inside the enterprise network between the enterprise telephone stations, wherein bearer paths within the enterprise network. At page 3, paragraph C, Stamp specifically teaches sending packetized voice and IP telephony messages over the LAN and the broadband access facility, to the call server. Thus, Stamp apparently requires transmitting bearer traffic to the call server.

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The Examiner concedes that Stamp does not teach restricting outside calling via the WWAN link. However, with respect to the presently pending claims, Stamp also does not teach the call server allowing setup of calls inside the enterprise network between the enterprise telephone stations, where the bearer paths are within the enterprise network. Stamp also teaches away from the claimed matter, as Stamp apparently requires sending bearer traffic to the call server, whereas claims 1 and 12 recite allowing setup of calls inside the enterprise network between the enterprise telephone stations, where the bearer paths are within the enterprise network. Furthermore, Stamp does not teach call-server-logic at the call server for restricting outside calling between a telephone station on the enterprise network and a telephone station not on the enterprise network via the WWAN connection, wherein restricted calls are not permitted to connect.

The Begeja reference teaches a residence that is connected to an external telephony network by a media selection device. While the residence has electrical power, the media selection device uses a competitive local exchange carrier for calls originated in the residence. When the residence loses electrical power, the media selection device switches to using the traditional baseband telephony service of the incumbent local exchange carrier, because that telephony service provides power from the central office to the telephony devices in the residence. In additional to allowing this switching between the competitive and incumbent local exchange carriers, the media selection device allow both carriers to be used at the same time. Begeja teaches downloading programmable logic into the media selection device that overrides the default use of the competitive local exchange carrier for certain called parties. This way, the media selection device routes some calls via the competitive local exchange carrier, while it routes other calls via the incumbent local exchange carrier.

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The Examiner contended that Begeja teaches restricting outside calling via the WWAN link. However, Begeja actually teaches routing outside calls via either the wireline (incumbent local exchange carrier) or wireless (competitive local exchange carrier) links. While the claimed matter is directed to outside calling between a telephone station on the enterprise network and a telephone station not on the enterprise network via the WWAN connection when the wireline link is not available, Begeja teaches selective use of one link or the other based on both being available. Additionally, the claimed matter restricts some calls from using the WWAN by not permitting a restricted call to be connected. However, Begeja restricts calls from using the competitive local exchange carrier by routing these calls via the incumbent local exchange carrier. Thus, Begeja does not teach preventing restricted calls from being connected.

Yet further, and also unlike the claimed matter, Begeja does not teach an external signaling node, such as a call server, performing the selection of which calls to restrict. Moreover, Begeja's teachings are of circuit voice where the signaling and bearer traffic follow the same path, whereas the claimed matter is directed to Internet telephony, and take advantage of the flexible nature of this technology to separate the paths of the signaling and bearer traffic.

Thus, Begeja does not make up for the deficiencies of Schmidt and Stamp. The combination of Schmidt, Stamp and Begeja does not teach the call server allowing setup of calls inside the enterprise network between the enterprise telephone stations, where the bearer paths are within the enterprise network. These references also do not teach a call server restricting outside calling between a telephone station on the enterprise network and a telephone station not on the enterprise network via the WWAN connection, wherein restricted calls are not permitted to connect.

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Given the deficiencies of Schmidt, Stamp, and Begeja, and that the currently pending claimed matter does not reasonably or logically follow from the combination of these references, claims 1 and 12 are allowable. Furthermore, claims 2-9, 11, 13-18, and 20 are allowable for at least the reason that they depend from an allowable claim.

4. Conclusion

In view of the foregoing, Applicants respectfully request favorable reconsideration and allowance of the claims. Should the Examiner wish to discuss this case with the undersigned, the Examiner is invited to call the undersigned at (312) 913-2141.

Respectfully submitted,

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